

K&L GATES

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**Via ECF**

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The Honorable André M. Espinosa, U.S.M.J.  
United States District Court, District of New Jersey  
Frank R. Lautenberg U.S. Post Office & Courthouse  
2 Federal Square  
Newark, New Jersey 07101

**Re: *Borough of Edgewater v. Waterside Construction, LLC et al.*, Case No.: 2:14-cv-05060; *North River Mews v. Alcoa et al.*, Case No. 2:14-cv-08129**

Dear Judge Espinosa:

On behalf of Defendants Arconic Inc., and Arconic Domestic, LLC (collectively, “Arconic”), we write in response to the January 12, 2023, correspondence to the Court from Kevin Corrison, counsel for Hudson Spa Club, LLC, to prevent any misunderstanding regarding Hudson Spa’s status in this matter.<sup>1</sup>

Mr. Corrison’s letter appears to suggest that Hudson Spa is not required to participate in further proceedings because it was dismissed from this matter by the Court’s September 29, 2021, Order granting Hudson Spa’s motion for summary judgment (ECF No. 430) (the “Order”). Although the Order granted Hudson Spa’s motion, the dismissal applied only to a subset of claims asserted against Hudson Spa:

Hudson Spa, LLC moved for summary judgment as to the negligence and Spill Act claims asserted against it. The motion is therefore granted only as to those claims.

*Id.* Hudson Spa did not move to dismiss Arconic’s common law contribution claim against it (see Arconic’s Third-Party Complaint, December 13, 2017 (ECF No. 249)), and, accordingly, that claim remains active. Likewise, Arconic understands that the Borough of Edgewater’s CERCLA cost

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<sup>1</sup> Attached as **Exhibit A**.

recovery, unjust enrichment, and strict liability claims against Hudson Spa likewise remain active. As a result, Hudson Spa remains a party in this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dana B. Parker", followed by a long horizontal line extending to the right.

Dana B. Parker

cc: All counsel of record (via ECF)